

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIZABETH BINGHAM-PERRY,	:
	:
Plaintiff,	: 12 Civ. 5294 (CS)
	:
- against-	: NOTICE DISMISSING
	: ACTION PURSUANT TO
JEFFREY R. PERRY,	: FED. R. CIV. PRO. 41(1)(A)
	:
Defendant.	: ECF Case
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WHEREAS, there is an action involving the parties herein pending in the Supreme Court of the State of New York, County of Westchester, entitled *Elizabeth Perry v. Jeffrey R. Perry*, Index no. 2151/1 1 (the “Matrimonial Action”), in which Plaintiff has sued Defendant for divorce; and

WHEREAS, on September 28, 2012, at approximately 3:30 P.M., in open court and on the record in the Matrimonial Action, Plaintiff Elizabeth Bingham-Perry, through her counsel in the Matrimonial Action and also directly, authorized Howard Foster, Esq., her lead counsel in the instant Federal action, to dismiss and discontinue this action, with prejudice.

PLEASE TAKE NOTICE, that, pursuant to Fed. R. Civ. Pro. 41(1)(A), Plaintiff hereby dismisses and discontinues the above-captioned action against Defendant, with prejudice, and without costs to any party. This notice may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
October 1, 2012

Foster, P.C.
Attorneys for Plaintiff
Elizabeth Bingham-Perry
Admitted Pro Hac Vice

By: /s/ Howard Foster

150 N. Wacker Drive, Suite 2150
Chicago, IL 60606
(312) 726-1600